REMARKS

The final Office Action, mailed August 12, 2004, considered claims 1-41. Claims 1-41 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Bowker (EP 0872990 A1) in view of Bouis (U.S. Patent No. 6,741,608)[1].

Initially, with regard to the purportedly missing signatures from the oath and declaration, Applicants respectfully submit that properly executed oaths and declarations were submitted, having been signed by both Neil Fishman and Marc Seinfeld.[2] A copy of the declaration that was filed on February 8, 2001 is enclosed as an Exhibit with this amendment, showing the signatures of all the inventors, including Neil Fishman and Marc Seinfeld.

By this paper, claims 2, 15 and 22 have been cancelled, claims 1, 3-4, 11-13, 16-21, 23-25, 31-33 and 35 have been amended and new claims 42-47 have been added. Accordingly, claims 1, 3-14, 16-21, 23-47 now remain pending, of which claims 1, 13, 20, 33 and 35 are the independent claims at issue.

The first claimed embodiment, recited in method claim 1 and the corresponding computer program product claim 13 each include elements for converting data from a first format into a second format by identifying a sequence of format conversion modules that, when executed in sequence, converts the data from the first data format into the second data format; converting the data from the first data format into an intermediate data format using a first format conversion module in the sequence of data conversion modules; and converting the data from the

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[1] Although the prior art status of the cited art is not being challenged at this time, Applicants reserve the right to challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

[2] This was address with Katrina Harling at the Office of Initial Patent Examination (OIPE) (703)308-1202 on March 21, 2001. As discussed, the complete declaration was filed, signed by all of the inventors, on February 8, 2001.

intermediate data format into the second data format using at least two second format conversion modules in the sequence of data conversion modules.

The remaining independent claims are directed to methods (claim 20), computer program products (claim 33) and systems (claim 35) for converting data from a first format to a second format through the identification of a plurality of sequences of format conversion modules that each, when executed in sequence, converts the data from the first data format into the second data format.

Each of the independent claims has been amended by this paper to more clearly recite how the gateway computer system converts the data from the first format into the second data format, which is compatible with a remote computer system, and prior to transmitting the data to the remote computer system so that the remote computer system does not have to convert the data into the second data format, and wherein the identification of conversion modules to use for the format conversion is based on the address to the remote computer system for which the conversion is taking place.

The new dependent claims recite specific embodiments in which identifying the conversion modules is also based on an amount of time it will take to convert the data from the first data format into the second data format and in which the second data format corresponds to a proprietary protocol of the remote computer system. The new claims also cover embodiments in which the remote computer system registers with the gateway to provide the address prior to the gateway converting the data and wherein the address can include a phone number or a URL. Support for the claim amendments is found in the disclosure of the pending application. (See p. 25, ll. 10-13; p. 20, ll. 1-4; and p. 15-16, 23-24.)

The claims were rejected in the last action based on a combination of Bowker and Bouis. However, Applicants respectfully submit that these references should not be combined. In particular, Bouis is related to methods and systems for transcoding streaming data once it is received at a destination or recipient device, referred to in Bouis as a transcoding computer system 140 (Col. 4, ll. 30-33, Fig. 1). Bouis is directed to overcoming the problem in the prior art, where the destination/recipient device has to manually step through several conversion steps. (Col. 1, ll. 60-64).

Although Bouis relates to transcoding data from one format into a different format,[3] Bouis only transcodes the data once it is received at the destination device (transcoding computing system 140). This method is clearly distinguished from Applicants invention in which data format conversion occurs at a gateway interposed between the data originating device and the destination (remote computer system) and prior to transmitting the converted data to the remote computer system so that the remote computer system does not have to perform the data conversion. Clearly, therefore, Bouis does not teach or suggest any method in which the different conversion modules and sequences are selected based upon the address associated with the (destination device) remote computer system, as claimed, inasmuch as the destination device has already received the data. In particular, there would be no need to compare database tables to identify what destination device corresponds to the address associated with the data (e.g., claim 4 and other claims).

Bouis actually appears to teach away from this inasmuch as it would be unnecessary and would represent wasted resources. Accordingly, it would not make sense to combine Bouis and

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[3] The destination format referred to in Bouis should not be confused with the term destination device, however. Particularly in view of Figure 1 which shows the transcoding computer system 140 is the destination device.

Bowker, even assuming, *arguendo*, Bowker disclosed that transcoding can occur at an intermediary system prior to transmitting the data to a user system.
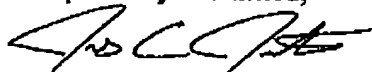
Furthermore, even if Bouis and Bowker were combined, they clearly fail to teach or suggest in combination that the act of identifying the sequence of conversion modules is based on an amount of time it will take to convert the data from the first data format into the second data format, as recited in new claims 42 and 43. Instead, Bouis merely states that series of modules can be selected for cost and load optimization. (Col. 6, ll. 47-48). There is no reference or suggestion to timeliness.

The combination of Bouis and Bowker also fail to teach that the second data format corresponds to a network protocol that is proprietary with the remote computer system (claim 44) or that the address of the remote computer system is provided to the gateway when the remote computer system registers with the gateway (claim 45), or that the address comprises a telephone number (claim 46) or URL (claim 47).

Accordingly, for at least the forgoing reasons, Applicants submit that the pending claims 1, 3-14, 16-21, 23-47 are distinguished over the art of record. In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

Dated this __21__ day of October 2004.

Respectfully submitted,

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